

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN**

INSPIRED PURSUITS, LLC,
QUALTIM, INC., CENTER FOR
BUILDING INNOVATION, LLC,
DRJ ENGINEERING, LLC, KIRK
GRUNDAHL, and SUZANNE
GRUNDAHL,

Case No. 3:25-cv-00075-wmc

Plaintiffs,

V.

PARAGON COMPONENT SYSTEMS, LLC,
JOHN HOLLAND, JAMES HOLLAND,
CLEARSPAN COMPONENTS, LLC,
ANDREW EWIN, DAVID REED, SCOTT
HOELSMA, SETH DUNCAN, MICHAEL
PITTS, AVERY RADMACHER, NATHAN
BIERMEMA, JEREMY BIEREMA, ROB
EASON, and THE ESTATE OF DANIEL
HOLLAND EX REL. SPECIAL
EXECUTOR MARVIN B. SPEED,

Defendants.

ALL DEFENDANTS' MOTION TO DISMISS

WRIGHT, CORTESI & GILBREATH

*Counsel for James Holland, Clearspan
Components, Inc., and Rob Eason*

Stephan R. Wright, TN BPR 031494
swright@wcglegal.com
2030 Hamilton Place Blvd., Suite 240
Chattanooga, TN 37421
T: 423-286-6919

GASS TUREK LLC

*Counsel for Defendants Paragon
Component Systems, LLC and
John Holland*

Tamar B. Kelber, SBN 1101802
kelber@gassturek.com
Joshua S. Greenberg, SBN 1107959
greenberg@gassturek.com
241 North Broadway, Suite 300
Milwaukee, WI 53202
T: 414-223-3300

**GEARHISER, PETERS ELLIOTT
& CANNON, PLLC**

*Counsel for Defendants Andrew Ewin,
David Reed, Scott Hoelsema, Seth
Duncan, Michael Pitts, Avery
Radmacher, Nathan Bierema, and
Jeremy Bierema*

Sam D. Elliott, pro hac vice
sellott@gearhiserpeters.com
320 McCallie Avenue
Chattanooga, Tennessee 37402
T: 423-756-5171
F: 423-266-1605

**GRANT, KONVALINKA &
HARRISON, P.C.**

*Counsel for the Estate of Daniel N.
Holland ex rel. Special Executor
Marvin B. Speed*

J. Scott McDearman, TN BPR
012714
smcdearman@gkhpc.com
Republic Centre
633 Chestnut Street, Suite 900
Chattanooga TN, 37450
T: 423-756-8400
F: 423-756-6518

Under Federal Rules of Civil Procedure 8, 12(b)(2), 12(b)(6), and 41(b), all Defendants respectfully move the Court to dismiss Plaintiffs' claims asserted in their Complaint. Doc. 1-2.

Under Rule 8, 12(b)(6), and 41(b), Plaintiffs' scattershot Complaint should be dismissed entirely because it is merely "a collection of vague legal theories [that] lacks concrete and coherent factual allegations." *See Dunbar v. Kiefer*, No. 24-CV-1592-JPS, 2024 WL 5264678, at *3 (E.D. Wis. Dec. 31, 2024).

Under Rule 12(b)(6), 17 U.S.C. § 301, and other applicable law, many of Plaintiffs' claims must be dismissed because they are preempted by the Copyright Act, since they seek remedies that are merely the equivalent of remedies afforded only under the Act.

And under Rule 12(b)(6), Plaintiffs' allegations are otherwise factually or legally deficient and implausible.

Moreover, under Rule 12(b)(2), the Court lacks personal jurisdiction over certain of the Defendants (James Holland and Rob Eason).

In support of this motion, each set of separately represented Defendants file a supporting brief. All Defendants rely on their own separate briefs, the brief filed by Defendants John Holland and Paragon Component Systems, LLC, which all other Defendants incorporate by reference, Fed. R. Civ. P. 10(c), and the record in this case.

Respectfully submitted this 7th day of April 2025.

GASS TUREK LLC

Counsel for Defendants Paragon Component Systems, LLC and John Holland

s/ Tamar B. Kelber

Tamar B. Kelber, SBN 1101802

kelber@gassturek.com

Joshua S. Greenberg, SBN 1107959

greenberg@gassturek.com

241 North Broadway, Suite 300

Milwaukee, WI 53202

T: 414-223-3300

F: 414-224-6116

**GEARHISER, PETERS ELLIOTT &
CANNON, PLLC**

Counsel for Defendants Andrew Ewin, David Reed, Scott Hoelsema, Seth Duncan, Michael Pitts, Avery Radmacher, Nathan Bierema, and Jeremy Bierema

s/ Sam D. Elliott, pro hac vice

Sam D. Elliott, TN BPR 009431

sellott@gearhiserpeters.com

320 McCallie Avenue

Chattanooga, Tennessee 37402

T: 423-756-5171

F: 423-266-1605

WRIGHT, CORTESI & GILBREATH

*Counsel for James Holland, Clearspan
Components, Inc., and Rob Eason*

s/ Stephan R. Wright

Stephan R. Wright, TN BPR 031494
swright@wcglegal.com
2030 Hamilton Place Blvd., Suite 240
Chattanooga, TN 37421
T: 423-286-6919

**GRANT, KONVALINKA & HARRISON,
P.C.**

*Counsel for the Estate of Daniel N. Holland ex
rel. Special Executor Marvin B. Speed*

s/ J. Scott McDearman

J. Scott McDearman, TN BPR 012714
smcdearman@gkhpc.com
Republic Centre
633 Chestnut Street, Suite 900
Chattanooga TN, 37450
T: 423-756-8400
F: 423-756-6518